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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ROGELIO CENICEROS FLORES,  
  
Defendant.

CASE NO. 1:23-CR-00107-JLT-SKO

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

**STIPULATION**

1. By previous order, this matter was set for trial on December 3, 2024.
2. By this stipulation, defendant now moves to continue the trial from March 25, 2025, and to set a new trial date of March 25, 2024. The parties further stipulate to exclude time between December 3, 2024, and March 25, 2025, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes reports, photographs, videos, cellular phone extractions, and other documents. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying. Initial discovery in this case was produced on or about June 1, 2023. Supplemental discovery was also produced on September 12, 2023 and December 19, 2023.
  - b) Counsel for defendant desires additional time consult with his client, to conduct

1 investigation, pursue new investigative leads, conduct research related to the charges, to review  
2 discovery for this matter, to discuss potential resolutions with their client, and to otherwise  
3 prepare for trial.

4 c) Counsel for defendant believes that failure to grant the above-requested  
5 continuance would deny them the reasonable time necessary for effective preparation, taking into  
6 account the exercise of due diligence.

7 d) The government does not object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the  
9 case as requested outweigh the interest of the public and the defendant in a trial within the  
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
12 et seq., within which trial must commence, the time period of December 3, 2024 to March 25,  
13 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
14 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
15 of the Court's finding that the ends of justice served by taking such action outweigh the best  
16 interest of the public and the defendant in a speedy trial.

17 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
19 must commence.

20 IT IS SO STIPULATED.

21  
22  
23 Dated: October 31, 2024

PHILLIP A. TALBERT  
United States Attorney

24  
25 /s/ ANTONIO J. PATACA  
ANTONIO J. PATACA  
26 Assistant United States Attorney  
27  
28

1 Dated: October 31, 2024

/s/ VICTOR CHAVEZ

VICTOR CHAVEZ

Counsel for Defendant

ROGELIO CENICEROS FLORES

10 ORDER

11 IT IS SO FOUND.

12 IT IS SO ORDERED.

13 Dated: October 31, 2024

14   
UNITED STATES DISTRICT JUDGE